

R430-100-9. RECORDS.

- (1) The provider shall maintain the following records on-site for review by the Department:
- (a) documentation of the previous 12 months of fire and disaster drills as specified in R430-10(11)(12)(13)(14);
 - (b) current animal vaccination records as required in R430-100-22(3);
 - (c) a six week record of child attendance, including sign-in and sign-out records;
 - (d) all current variances granted by the Department;
 - (e) a current local health department inspection;
 - (f) a current local fire department inspection;
 - (g) the most recent "Request for Annual Renewal of CBS/MIS Criminal History Information for Child Care"; as required in R430-6-5(1).

Rationale / Explanation

Review of center records by the Department is used to determine, in part, the center's compliance with the licensing rules. CFOC, pg. 334 Standard 8.003; pg. 367 Standard 8.057

Enforcement

*If a provider indicates they **do not have** (a), (b), or (g), cite the rule number listed in the actual rule item above, **not** R430-100-9..., as being out of compliance. If the provider indicates they **have** any of these records, but **cannot find them** during an on-site visit, cite this rule number [R430-9(1...)] **only** as being out of compliance. However, should the provider still not have the required record(s) on the follow-up visit, or if dates on the records at the follow-up visit indicate the record was not completed until after the initial visit, **both** this rule R430-9(1...) **and** the applicable rule listed in the bulleted items above will be cited as out of compliance.*

Level 2 Noncompliance: If any staff working at the center at the time of renewal were not listed on the "Request for Annual Renewal of CBS/MIS Criminal History Information for Child Care" submitted for the center's renewal, as required in R430-6-5(1). If this is the case, cite R430-6-5(1), not this rule.

Level 3 Noncompliance otherwise.

- (1) The provider shall maintain the following records on-site for review by the Department:
- (h) records for each currently enrolled child, including the following:
 - (i) an admission form containing the following information for each child:
 - (A) name;
 - (B) date of birth;
 - (C) date of enrollment;
 - (D) the parent's name, address, and phone number, including a daytime phone number;
 - (E) the names of people authorized by the parent to pick up the child;
 - (F) the name, address and phone number of a person to be contacted in the event of an emergency if the provider is unable to contact the parent;
 - (G) the name, address, and phone number of an out of area/state emergency contact person for the child, if available; and
 - (H) current emergency medical treatment and emergency medical transportation releases with the parent's signature;
 - (ii) a current annual health assessment form as required in R430-100-14(5);
 - (iii) current immunization records or documentation of a legally valid exemption, as specified in R430-100-14(4);

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- (iv) a transportation permission form, if the center provides transportation services;
- (v) a six week record of medication permission forms, and a six week record of medications actually administered; and
- (vi) a six week record of incident, accident, and injury reports;
- (vii) a six week record of eating, sleeping, and diaper changes as required in R430-100-23(12), R430-100-24(15); and

Rationale / Explanation

The health and safety of individual children requires that information regarding each child be kept at the center and available to staff on a need-to-know basis. Names of individuals authorized to pick children up are needed to prevent children from being taken by unauthorized individuals. Emergency treatment consent is needed in order to obtain medical care for children in emergencies. Information about each child's health status and needs and medications is required to ensure that caregivers meet the needs of each individual child. Admission of children without this information can leave the center unprepared to deal with children's daily and emergent health needs. Records of child injuries can be used to discern possible child abuse, and to help prevent future injury. CFOC, pg. 71 Standard 2.054; pg. 87 Standard 3.005; pgs. 359-364 Standards 8.046, 8.047, 8.048, 8.049, 8.050, 8.051; pgs. 369-370 Standard 8.062

Review of center records by the Department is used to determine, in part, the center's compliance with the licensing rules. CFOC, pg. 367 Standard 8.057

Enforcement

Licensing Specialists will look at the following percentages of child records. A center will be considered to be in compliance with this rule if they have all of the required records for 90% of the files reviewed.

<u># of Children Enrolled</u>	<u># of Records to be Reviewed</u>	<u># of Complete Records for 90% Compliance</u>
20 or less	10	9
21-40	15	14
41-60	20	18
61+	25	23

If a center maintains information required in the admission form in another form [for example, if the center has a child's enrollment date on a form (paper or electronic) other than the admission form], they will be considered in compliance with the rule. If a center had a pre-printed supply of admission forms made before the new rules went into effect (12-30-06), and the only thing missing from these pre-printed forms is a space for the out of area/state contact person, the center can use up their existing forms without being considered out of compliance, and can add this information at the next printing.

Acceptable immunization records can either be in the pink state immunization form, the yellow card from the local health department, or any immunization record from a health care provider.

Level 2 Noncompliance: If there is not a admission form (as described in the following paragraph), or if a provider transports a child without a completed transportation permission form.

In order to be in compliance, the child admission form must have at least the following information completed: name; date of birth; the parent's name, address, and phone number, including a daytime phone number; the

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names of people authorized by the parent to pick up the child; the name and phone number of a person to be contacted in the event of an emergency if the provider is unable to contact the parent (unless the parents don't know anyone in the area they can list); and current emergency medical treatment and emergency medical transportation releases with the parent's signature. This means an admission form can be in compliance if it is missing the child's date of enrollment, the address of the emergency contact person, an out-of-state emergency contact person, or an in-state emergency contact person if the parent does not know anyone they could list.

Level 3 Noncompliance: If any record other than the admission form or the transportation permission form (if the center transports the child) is incomplete or missing, or if the admission form is missing any information other than that specified above in Level 2 Noncompliance.

*If a provider indicates they **do not have** any of the following records, cite the rule number listed in the bullets below, **not** this rule number, as being out of compliance:*

- a current annual health assessment form as required in R430-100-14(5)
- current immunization records as specified in R430-100-14(4),
- a six week record of medication permission and administration forms as required in R430-100-17(7-8)
- a six week record of incident, accident, and injury reports as required in R430-100-13(4), or
- a six week record of eating, sleeping, and diaper changes as required in R430-100-23(12) R430-100-24(15).

*If the provider indicates they **have** any of these records, but **cannot find them** during an on-site visit, cite this rule number [R430-9(1...)] **only** as being out of compliance. However, should the provider still not have the required record(s) on the follow-up visit, or if dates on the records at the follow-up visit indicate the record was not completed until after the initial visit, **both** this rule R430-9(1...) **and** the applicable rule listed in the bulleted items above will be cited as out of compliance.*

If lack of information on a health assessment resulted in an emergency situation (seizure, allergic reaction, etc.) in which caregivers did not have the needed information, cite R430-100-14(5), not this rule.

- (1) The provider shall maintain the following records on-site for review by the Department:
- (i) records for each staff member, including the following:
 - (i) date of initial employment;
 - (ii) results of initial TB screening;
 - (iii) approved initial "CBS/MIS Consent and Release of Liability for Child Care" form;
 - (iv) the most recent "Disclosure Statement" for a criminal background check, if the employee has worked at the facility since the last license renewal;
 - (v) a six week record of days and hours worked;
 - (vi) orientation training documentation for caregivers, and for volunteers who work at the center at least once each month;
 - (vii) annual training documentation for caregivers; and
 - (viii) current first aid and CPR certification, if applicable as required in R430-100-10(2), R430-100-20(5)(d), and R430-100-21(2).

Rationale / Explanation

Review of center records by the Department is used to determine, in part, the center's compliance with the licensing rules. CFOC, pgs. 367-368 Standards 8.057, 8.058

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Enforcement

R430-6-5(3) requires the center to submit background clearance documents for newly hired individuals within five days of the individual becoming involved with the center. "Becoming involved with the center" means the individual's start date at the center.

If a center owner owns more than one center and a staff member works in more than one of these centers, the staff member does not need to have initial and annual background clearances done at both centers. They may photocopy their background clearance documentation from one center and keep the photocopies in their file at the other center.

Centers are required to keep a copy of the initial cleared BCI form in the file for staff hired as of 12/30/06.

Licensing Specialists will look at the following percentages of staff records. In order to be in compliance, all staff records reviewed must be complete.

<u># of Staff</u>	<u># of Records to be Reviewed</u>
10 or less	10
11-15	11
16-20	16
21+	21

Level 1 Noncompliance: if the required initial BCI documents are missing, and a check with the Bureau Background Clearance Unit indicates the BCI documents were **not** submitted within 5 working days of a person's start date. If this is the case, cite R430-6-5(3), not this rule.

Level 2 Noncompliance: if the required BCI documents were not submitted within 5 days of the person's start date, but have been submitted at the time of the inspection. If this is the case, cite R430-6-5(3), not this rule. Or, if the most recent Disclosure Statement for a criminal background check is missing.

Level 3 Noncompliance otherwise.

If a provider indicates they **do not have** any of the following records, cite the rule number listed in the bullets below, **not** this rule number, as being out of compliance:

- results of initial TB screening as required in R430-100-16(11-12)
- approved initial "CBS/MIS Consent and Release of Liability for Child Care" form (R430-6-5(1) & (3))
- orientation training documentation as required in R430-100-7(7),
- annual training documentation as required in R430-100-7(8), or
- current first aid and CPR certification, if applicable, as required in R430-100-10(2), R430-100-20(5)(d), and R430-100-21(2).

If the provider indicates they **have** any of these records, but **cannot find them** during an on-site visit, cite this rule number (R430-9(1...)) **only** as being out of compliance. However, should the provider still not have the required record(s) on the follow-up visit, or if dates on the records at the follow-up visit indicate the record was not completed until after the initial visit, **both** this rule R430-9(1...) **and** the applicable rule listed in the bulleted items above will be cited as out of compliance.

(2) The provider shall ensure that information in children's files is not released without written parental

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permission.

Rationale / Explanation

Prior informed, written consent of the parent is required for the release of written or verbal records and information about their child. The purpose of this rule is to prevent unauthorized individuals from accessing confidential information about a child, and to prevent discrimination against a child due to the release of confidential information about the child or his or her family. CFOC, pg. 359 Standard 8.046; pg. 366 Standard 8.055

Enforcement

Level 1 Noncompliance: If the information released results in a prohibited person having contact with a child.

Level 2 Noncompliance: If the information released results in discrimination against a child or humiliation of a child.

Level 3 Noncompliance: If information is released, but it does not result in harm to a child.